

SENATE BILL 374
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 7, Part 1; Title 38, Chapter 8, Part 1; Title 39, Chapter 14, Part 2 and Title 44, Chapter 17, Part 4, to enact the "General Patton Act of 2003".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "General Patton Act of 2003".

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following as a new section:

Section 38-8-116.

(a) Effective August 1, 2003, the course of training leading to the basic certificate of compliance issued by the Tennessee peace officer standards and training commission pursuant to § 38-8-107, shall include a course of instruction in animal behavior generally and canine behavior specifically.

(b) Such course shall be created and designed to instruct officer candidates in:

(1) Basic animal behavioral characteristics and traits and methods by which an officer can ascertain whether an animal is likely to

be or become aggressive and thereby constitute a threat to the officer or other people.

(2) Situations and environments in which an animal is more likely to be or become aggressive and methods by which the officer can control or alter these situations or environments in order to best protect the officer and other people.

(3) Ways in which a law enforcement officer can control and neutralize an animal that is or becomes aggressive in a manner that utilizes the least amount of force or likelihood of harm to the animal necessary to protect the officer and other people;

(c)

(1) The course described in subsections (a) and (b) shall also be included as a part of the annual in-service training courses required before a law enforcement officer is eligible for the salary supplement authorized in § 38-8-111.

(2) The annual in-service training course shall also include any updates or instructional or educational advancements that become available in this area.

(d) Every officer who was employed prior to the time when the course of instruction required by subsection (a) was established and offered shall be required to complete it as part of such officer's annual in-service training. Any such officer shall have two (2) years from the effective date of this act to receive the instruction required by subsection (a). Any officer who does not comply with this subsection shall be subject to department disciplinary proceedings.

SECTION 3. Tennessee Code Annotated, Title 4, Chapter 7, Part 1, is amended by adding the following new section:

Section 4-7-118.

(a) Effective August 1, 2003, before a person appointed by the commissioner can become a commissioned member of the highway patrol, such person, as a part of the training for such position, shall complete a course of instruction in animal behavior generally and canine behavior specifically that complies with the requirements of § 38-8-116.

(b) The course described in subsection (a), and any updates or instructional or educational advancements that become available in this area, shall also be included as a part of any annual in-service training course required for members of the highway patrol.

(c) Any member of the highway patrol who was employed prior to the time when the course of instruction required by subsection (a) was established and offered shall be required to complete it as part of any annual in-service training required of the highway patrol. Any such member shall have two (2) years from the effective date of this act to receive the instruction required by subsection (a). Any officer who does not comply with this subsection shall be subject to department disciplinary proceedings.

(d) Any member of the highway patrol who completes a course of instruction in animal behavior approved by the POST commission for use as required in § 38-8-116, shall be in compliance with the provisions of this section.

SECTION 4. Tennessee Code Annotated, Section 44-17-403, is amended by deleting subsection (f) in its entirety.

SECTION 5. Tennessee Code Annotated, Section 39-14-212, is amended by deleting subsection (d) and substituting instead the following:

(d) Aggravated cruelty to animals is a Class E felony.

SECTION 6. Tennessee Code Annotated, Section 39-14-202, is amended by deleting subsection (f) and substituting instead the following:

(f)

(1) Cruelty to animals is a Class A misdemeanor.

(2) A second or subsequent conviction for cruelty to animals is a Class E felony.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.